

**MINUTES
OF THE COUNCIL MEETING OF THE CITY OF TEA TREE GULLY HELD ON
TUESDAY 13 SEPTEMBER 2022 AT 7.00PM IN THE COUNCIL CHAMBERS, 571
MONTAGUE ROAD, MODBURY**

1. Opening Prayer and Welcome

The Mayor read the Opening Prayer and Acknowledgement of Country Statement.

1.1 Tribute to Her Majesty Queen Elizabeth II

Moved Cr Unger, Seconded Cr Wyld

That on 13 September 2022 the City of Tea Tree Gully Council resolves:

1. Acknowledges and pay tribute to Her Majesty Queen Elizabeth II who served the Commonwealth with an unfailing commitment and devotion to duty for over seventy years.
2. Passes on our condolences to His Majesty the King and members of the Royal Family.

Carried Unanimously (1331)

A minute of silence was held in tribute to Her Majesty Queen Elizabeth II.

2. Attendance Record:

2.1 Present

His Worship Mayor K Knight, Crs B Keane, J Lintvelt, L Jones, R Unger, D Wyld, L Petrie, R Coleman, P Field, S Keane and K Foreman.

2.2 Apologies

Nil

2.3 Leave of Absence

A leave of absence has previously been granted for Cr Brett Rankine.

2.4 Record of Officers in Physical Attendance onsite

Mr R McMahon	Chief Executive Officer
Mr W Richards	Acting General Manager Corporate Services

Mrs C Neil	Director Community & Cultural Development
Mr T Harfield	Director Assets & Environment
Mrs D Taglierini	Governance Advisor
Mr J Robbins	Manager Finance & Rating Operations
Mr A Kelly	Group Coordinator, Civil & Buildings Projects
Mr N Mason	Business Solutions Team Leader
Mrs I Wilkshire	Manager City Strategy
Ms J Lewig	Strategic Urban Planner

Record of Officers in Attendance via Electronic Means (audio-visual link)

Mr A Sellars	Manager Parks
Mr S Koolen	Technical Officer, Biodiversity

2.5 Record of Number of Persons in the Public Gallery – Physical Attendance

5 Attendees

2.6 Record of Media in Physical Attendance

Nil

3. Confirmation of Minutes to the Previous Meeting

Moved Cr Wyld, Seconded Cr Foreman

That the Minutes of the Council Meeting held on 23 August 2022 and Special Meeting of Council held on 1 September 2022 be confirmed as true and accurate records of proceedings.

Carried Unanimously (1332)

4. Public Forum - Nil

5. Deputations - Nil

6. Presentations - Nil

7. Petitions - Nil

8. Declaration of Conflicts of Interests - Nil

9. Adjourned Business - Nil

10. Motions Lying on the Table - Nil

11. Committee Reports

Service Review Committee

11.1 Recommendations from the Service Review Committee Meeting held on 24 August 2022

Service Review Report - Road Management (D22/45146)

During the seconding of the motion, Cr Field left the meeting at 7.23pm and re-entered the meeting at 7.24pm.

Moved Cr Unger, Seconded Cr Petrie

That having considered the report titled “Service Review Report – Road Management” and dated 24 August 2022, Council:

1. Notes the report prepared by BRS for the Road Management Service Review, provided as Attachment 2, and
2. Endorses the proposed actions contained in the Implementation Plan (provided as Attachment 3) and that the following items are delegated to Council’s Chief Executive Officer (CEO) to consider and implement:
 - a. Items 10.2.1 – 10.2.4
 - b. Items 10.3.1 – 10.3.3
 - c. Items 11.1.1 – 11.1.2 with 11.1.1 being presented to Council for consideration
 - d. Items 11.2.1 – 11.2.4
 - e. Items 11.3.1 – 11.3.5
 - f. Items 11.4.1 – 11.4.3
 - g. Items 11.5.1 – 11.5.3

Carried Unanimously (1333)

Audit Committee

11.2 Recommendations from the Special Meeting of Audit held on 7 September 2022

Audited Financial Statements 2021-2022 (D22/168930)

During the moving of the motion, the Mayor sought leave of the meeting to allow Cr Field an extension of debating time. Leave was granted.

Moved Cr Field, Seconded Cr Unger

1. That the Audit Committee receives the audited financial statements for financial year ending 30 June 2022 as detailed in Attachment 1 to the report titled “Audited Financial Statements 2021-2022” and dated 7 September 2022.
2. That the Audit Committee, having reviewed the Audited Financial Statements for 2021-22 contained in Attachment 1 considers that the Audited Financial Statements 2021-2022 present fairly the state of affairs of Council.
3. That the Presiding Member of the Audit Committee be authorised to sign Council’s Certificate of Audit Independence Statement that will accompany the Financial Statements for financial year ending 30 June 2022.

Carried Unanimously (1334)

Governance and Policy Committee - Nil

CEO Performance and Remuneration Review Committee

11.1 Recommendations from the CEO Performance and Remuneration Review Committee Meeting held on 24 August 2022

Proposed CEO Key Performance Indicators (KPI) for 2022-23 (D22/51378)

Moved Cr Jones, Seconded Cr Petrie

That Council adopts the Chief Executive Officer’s (CEO’s) Key Performance Indicators (KPIs) for the 2022-23 financial year provided in Attachment 1 to the report titled “Proposed CEO Key Performance Indicators (KPIs) for 2022-23” and dated 24 August 2022.

Carried Unanimously (1335)

Traffic Management Safety Committee - Nil

12. Management Reports

Office of the Chief Executive Officer

12.1 Miscellaneous Technical Enhancement Code Amendment - Council Submission (D22/58444)

During the moving of the motion, Cr Jones left the meeting at 7.39pm and during the debate re-entered the meeting at 7.41pm.

Moved Cr B Keane, Seconded Cr Foreman

That having considered the report titled “Miscellaneous and Technical Enhancement Code Amendment – Council Submission” and dated September 2022, Council endorses the draft submission as set out in Attachment 1 of the report as its formal submission to the State Planning Commission in response to its consultation on the Miscellaneous and Technical Enhancement Code Amendment.

Carried Unanimously (1336)

Assets & Environment - Nil

Organisational Services & Excellence - Nil

Community & Cultural Development - Nil

13. Notice(s) of Motions - Nil

14. Motions without Notice - Nil

15. Questions on Notice - Nil

16. Questions without Notice - Nil

17. Mayor's Report – Nil

18. Council Delegates and Activities Report - Nil

19. Information Reports

The following Information reports were received at the meeting:

19.1 Update on the response from Minister Close regarding the application to establish a Recreational Vehicle Motorhome Park at 212 Lyons Road Holden Hill (D22/172176)

19.2 Dry Creek Corridor Biodiversity Plan implementation update for year 2021-2022. (D22/58812)

19.3 Policies adopted by the Governance and Policy Committee under Delegation - 17 August 2022 (D22/168423)

19.4 Call for Nominations - State Records Council (D22/170080)

19.5 Call for Nominations - Local Government Finance Authority Board of Trustees (D22/170082)

After the moving of the motion, pursuant to sections 75 & 75A of the Local Government Act 1999, Cr Petrie declared an actual conflict of interest in relation to this matter on the basis that she was being nominated for the position. She indicated she would deal with this conflict of interest in a transparent and accountable way by leaving the meeting while the matter was being discussed and vote on. Cr Petrie left the meeting at 7.45pm.

Moved Cr Wyld, Seconded Cr Field

That Council submits Cr Lyn Petrie as its nominee as a local government representatives on the Local Government Finance Authority Board of Trustees (LGFA).

Carried Unanimously (1337)

Cr Petrie was not present for the vote.

Cr Petrie re-entered the meeting at 7.46pm.

19.6 Disability Access and Inclusion Action Plan Update (D22/170970)

**19.7 Community Development Programs and Activities Update - 2021-2022
(D22/173105)**

20. Status Report on Resolutions

20.1 Status Report on Council Resolutions (D22/116133)

Council received the Status Report on Council Resolutions

21. Other Business

Cr Coleman thanked Elected Members and staff for their support towards the construction of the Dernancourt Memorial, Linear Park. Cr Petrie thanked Cr Coleman for bringing this matter to the Chamber for Council to consider.

Cr Jones thanked staff for the installation of the Basket Swing at Tarni Reserve, Fairview Park.

Mayor Knight congratulated the Modbury Football Club on winning the C Grade grand finals. He also congratulated the Golden Grove Football Club on winning the A Grade and A Reserves Grand Finals.

Cr Petrie congratulated the Modbury Jets Amateur Football Club on winning back to back League Titles for A and B grades, C grade on finishing runners up and C2's on winning the League title.

Cr Coleman advised Council that he is attending the Murray Darling Association 78th Conference at Albury, NSW.

22. Section 90(2) Local Government Act 1999 – Confidential Items - Nil

23. Date of Next Ordinary Meeting

27 September 2022

The Mayor declared the meeting closed at 8.02pm.

Confirmed.....
Mayor 27 September 2022